

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AKANIYENE W. ETUK,

Plaintiff,

-v-

BRONXWORKS, et al.,

Defendants.

CIVIL ACTION NO. 24 Civ. 4953 (JPC) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

On January 30, 2025, pro se Plaintiff Akaniyene Etuk (“Mr. Etuk”) filed a Third Amended Complaint (“TAC”) without moving for leave to amend. (ECF No. 31). Accordingly, the Court construed the TAC as a Motion to Amend (“MTA”) filed pursuant to Federal Rule of Civil Procedure 15(a)(2) and directed Defendants to file any opposition to the MTA by Tuesday, February 18, 2025. (ECF No. 32) (citing Garvey v. Connect Wireless, No. 16 Civ. 1071 (BKS) (DEP), 2016 WL 6952155, at \*1 (N.D.N.Y. Nov. 28, 2016) (construing “second amended complaint . . . as a motion to amend under Rule 15(a)(2) of the Federal Rules of Civil Procedure”). Having received no opposition, the Court orders as follows:

1. The MTA is GRANTED, and the TAC is deemed the operative pleading in this action.
2. Defendants are directed to answer or otherwise respond to the TAC by **Wednesday, March 26, 2025**.
3. If the Corporation Counsel for the City of New York determines it will not represent any of the individuals identified in its Valentin response dated January 21, 2025 (see ECF No. 30), it must notify the Court of as much by **Friday, March 21, 2025**, through a letter filed on the docket.

The Clerk of Court is respectfully directed to mail a copy of this Order to Mr. Etuk at his address on record.

Dated: New York, New York  
March 5, 2025

  
SARAH L. CAVE  
United States Magistrate Judge